

Certificate of Transmission by Mailing, Facsimile, or Electronic Transmission (37 C.F.R. §1.8)

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is:

being deposited with the U.S. Postal Service on the date indicated below and with sufficient postage addressed to Commissioner for Patents, P.O. Box 1450, Alexandria VA 22313-1450.

being facsimile transmitted to the Commissioner for Patents, U.S.P.T.O. (Fax No. 571-273-8300) on the date indicated below.

being transmitted to the Commissioner for Patents via the U.S.P.T.O. Electronic Filing System on the date indicated below.

Signature: /Gary R. Fabian/ Reg. No. 33,875

Date: 3 August 2009

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of: MORAN, Stanford Mark	Confirmation No.: 8022
Serial No.: 10/004,118	Art Unit: 1647
Filing Date: 30 October 2001	Examiner: Seharaseyon, J.
Title: METHOD FOR TREATING DISEASES WITH OMEGA INTERFERON	

NOTICE OF APPEAL

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The non-final rejection mailed 3 February 2009 is hereby appealed to the Board of Patent Appeals and Interferences.

Notice of Appeal Fee not required.

Attached is a check to cover the Notice of Appeal Fee of \$255.00 \$510.00.

An authorization to charge the Notice of Appeal Fee of \$270.00 \$ 540.00 to Deposit Account No. **504212** accompanies this paper.

The Commissioner is hereby authorized to charge **\$270.00** to Deposit Account No. **504212** (please reference **INT 004.10**) as well as any fees under 37 C.F.R. §§ 1.16, 1.17, 1.21 and 41.20 which may be required by this paper, with the exception of the payment of the issue fee.

Please direct all further communications in this application to:

Customer Number: 000074866

Barbara G. McClung, Esq.
Registration No. 33,113
Vice President, General Counsel and Corporate Secretary
Intarcia Therapeutics, Inc.
24650 Industrial Blvd
Hayward, CA 94545
Phone: 510-782-7800, ext. 122
Facsimile: 510-782-7801.

Respectfully submitted,

Date: 3 August 2009 By: /Gary R. Fabian/
Gary R. Fabian, Ph.D.
Registration No. 33,875
Agent for Applicant